

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANGELA ORDIWAY,)	
ESTHER BARKLEY,)	
REBECCA BUTERBAUGH,)	
RICHARD BUTERBAUGH, and)	Civil Action No. 02-1564
THOSE PERSONS SIMILARLY SITUATED)	Judge Cercone
)	
Plaintiffs,)	
)	
v.)	
)	
COMMUNICATIONS & COMMERCE, LLC)	
REESE BROTHERS, REESE)	
TELESERVICES INC., BARRY REESE and)	
RALPH REESE,)	
)	
Defendants.)	

AND

REBECCA BUTERBAUGH,)	
RICHARD BUTERBAUGH,)	
DEANA MUMAU, JAMES SMITH and)	
THOSE PERSONS SIMILARLY SITUATED)	Civil Action No. 03-0116
)	Judge Cercone
Plaintiffs,)	
)	
)	
v.)	
)	
COMMUNICATIONS & COMMERCE, LLC,)	
REESE BROTHERS, REESE TELESERVICES,)	
INC., ALAN TRUITT, ALEC BRECKER,)	
BARRY REESE AND RALPH REESE)	
)	
Defendants.)	

MOTION FOR FINAL APPROVAL OF PROPOSED SETTLEMENT

Lead Plaintiffs, Angela Ordiway, Esther Barkley, Rebecca Buterbaugh, Rick Buterbaugh, Deana Mumau and James Smith, Class Representatives (“Lead Plaintiffs”) by their counsel,

hereby move the Court pursuant to Fed.R.Civ.P.23(e), for final approval of the proposed Settlement of the above-captioned class action lawsuits. In support thereof, Lead Plaintiffs state as follows:

1. The proposed Settlement provides a tangible and immediate benefit for the Class.
 2. The proposed Settlement is a global settlement. It was reached with all of the Defendants, after intensive arm's-length negotiations by experienced counsel, including negotiations during two separate settlement conferences presided over by this Honorable Court. The proposed Settlement articulates the agreement made in connection with settling the Lead Plaintiffs and Class claims. Fed.R.Civ.P.23(e)(2).
 3. As required by this Honorable Court's Preliminary Approval Order dated June 12, 2006, Notice of the Settlement and the approval hearing was sent to the members of the Class and published in the *Indiana Gazette*. The deadline to serve objections to the proposed Settlement expired on August 4, 2006.
 4. The proposed Settlement was approved by each Lead Plaintiff and there have been no objections filed by the Class.¹
 5. In further support of this Motion, Lead Plaintiffs rely on the pleadings previously filed with the Court and the Brief in Support of Final Approval of the Proposed Settlement.
- WHEREFORE, Lead Plaintiffs respectfully request that this Honorable Court grant final approval to the proposed Settlement.

¹ Plaintiffs' Counsel received an email with an electronic stamp reading "Not Approved" from one Class member and several phone calls regarding unhappiness with the Settlement terms. Plaintiffs' Counsel, however, is unaware of any Class members who have officially objected to the terms of the Settlement as is required by the Court's approved Notice of the Settlement sent to each Plaintiff and posted in the *Indiana Gazette*.

Respectfully submitted,

s/ Cynthia S. Goldstein
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